

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA

vs.

JAMES ROBERT GOINES

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Case No. 4:13cr259
(Judge Crone)

REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE

Pending before the Court is the request for revocation of Defendant's supervised release. After the District Judge referred the matter to this Court for a report and recommendation, the Court conducted a hearing on July 15, 2014, to determine whether Defendant violated his supervised release.

On November 22, 2011, Defendant was sentenced by the Honorable John D. Rainey to six (6) months' custody followed by three (3) years of supervised release for the offense of Conspiracy to Transport Unlawful Aliens. On December 20, 2011, Defendant completed his period of imprisonment and began service of his supervised term.

On June 24, 2014, the U.S. Probation Officer executed a Petition for Warrant for Offender Under Supervision. The petition asserted that Defendant violated mandatory, standard, and special conditions. The Government dismissed allegations two, three, four, five, six, seven, and eight.

Prior to the Government putting on its case, Defendant entered a plea of true to allegation one. The Court recommends that Defendant's supervised release be revoked.

RECOMMENDATION

The Court recommends that the District Judge revoke Defendant's supervised release. The Court recommends that Defendant be committed to the custody of the Bureau of Prisons to be

imprisoned for a term of twelve (12) months with no supervised release to follow. Defendant still has an obligation to pay his special assessment of \$100. It is also recommended that Defendant be housed in the Bureau of Prisons, Seagoville Unit.

After the Court announced the recommended sentence, Defendant executed the consent to revocation of supervised release and waiver of right to be present and speak at sentencing. Defendant and the Government also waived their right to file objections.

SIGNED this 15th day of July, 2014.



AMOS L. MAZZANT
UNITED STATES MAGISTRATE JUDGE